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Planning Commission Date: August 11, 2004

Item No.

MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: New Business

Report prepared by: Staci Pereira

Public Hearing: Yes: _____ No: X

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TITLE: GENERAL PLAN CONFORMANCE FOR THE VACATION OF PUBLIC RIGHT-OF-WAY (WELLER LANE AND WINSOR STREET)

Proposal: A request for the vacations of the southern portion of Weller Lane, east of N. Main Street, and the northern portion of Winsor Street.

Location: Weller Lane and Winsor Street.

RECOMMENDATION: Find the partial vacations of Weller Lane and Winsor Street are in conformance with the General Plan.

Applicant: City of Milpitas, Attention: Staci Pereira, 455 E. Calaveras Blvd., Milpitas, CA 95035

Property Owner: City of Milpitas, 455 E. Calaveras Blvd., Milpitas, CA 95035

Existing Land Use: Public roadways

Attachments: Exhibit "A"

PJ No. N/A

BACKGROUND

On May 26, 2004, the Planning Commission reviewed and recommended Council approval of the Apton Plaza project. This project was designed under the assumption that a land swap between the property owner and the City will occur, which includes the vacation of the northern portion of Weller Lane, east of N. Main Street, as well as portions of North Main Street and Railroad Avenue (Area 1 on Exhibit "A"). At this same meeting, the Planning Commission found these partial vacations to be in conformance with the General Plan.

VACATION DESCRIPTION

The City proposes to vacate the remaining, southern portion of Weller Lane, east of N. Main Street, and the northern portion of Winsor Street (Area 2 on Exhibit "A"). These vacations (entire Weller Lane, east of N. Main, and the northern portion of Winsor Street) are part of the long-term plan for the redevelopment of the N. Main Street area, including the Apton Plaza project and the future library.

Conformance with General Plan

As previously mentioned, the Planning Commission reviewed the vacation for the northern portion of Weller Lane with the Apton Plaza project. Their conclusion was based on the fact that the street was wider than necessary, particularly at the intersection, to properly and safely function as a local public street and that its reduction allowed for a safer and better aligned roadway. It has since been determined that the closure of Weller Lane in its entirety, east of N. Main Street, and the northern portion of Winsor Street would be consistent with the long-term plan for the redevelopment of this area, as envisioned in the Midtown Specific Plan. The long-term plan includes a denser urban design with a mixture of uses: retail, residential and public uses, including the future library. The partial vacations would accommodate this redevelopment, which is consistent with the General Plan Circulation Element's Guiding Principles 3.b-G.1 and 3.b.G.2, which encourage a street network that is integrated with the development pattern and provides for special consideration of the circulation needs of a modern, convenient central business district.

Additionally, Weller Lane and Winsor Street are local streets that together serve as one of the two vehicular access points to the properties located on Winsor Street. Upon their vacation, all of the private properties on Winsor Street will continue to be accessible from Carlo Street to the south and no impact to the businesses is anticipated.

The next step in the vacation process is a public hearing for the resolution of Intention to Vacate, which is scheduled for Council's review at their meeting on August 17, 2004.

RECOMMENDATION

Find the partial vacations of Weller Lane and Winsor Street are in conformance with the General Plan based on the finding below.

FINDINGS

1. The proposed partial vacations are in conformance with the General Plan Circulation Element's Guiding Principles 3.b-G.1 and 3.b.G.2 in that they will accommodate the long term plan of the redevelopment of this the N. Main Street area and in that the properties located on Winsor Street will remain accessible from Carlo street.

EXHIBIT "A"

